UNITED STATES DISTRICT COURT		**EASTERN DISTRICT OF TEXAS**

ROBERT MITCHELL ALEXANDER,	§	
	§	
Plaintiff,	§	
	§	
versus	§	CIVIL ACTION NO. 1:10-CV-184
	§	
LT. KNOUTZ, *et al.*,	§	
	§	
Defendants.	§	

MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Robert Mitchell Alexander, an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this lawsuit alleging the denial of adequate access to the courts.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court concludes Plaintiff's objections are without merit. For the reasons set forth in the magistrate judge's report, Plaintiff is barred from proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915(g). *See Ganos v. O'Guin*, 144 F.3d 833, 884 (5th Cir. 1998). Therefore, the complaint should be dismissed without prejudice.

O R D E R

Accordingly, Plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is

ADOPTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 16th day of December, 2010.

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MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE